

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

SCOOTER LYNN ROBINSON

PLAINTIFF

VERSUS

CIVIL ACTION NO. 1:10-cv-556-HSO-JMR

**DONNIE SAUCIER, PAUL FERNANDEZ,
MATTHEW CARVER, AND RUSSELL MILLER**

DEFENDANTS

CONSOLIDATED WITH

SCOOTER LYNN ROBINSON

PLAINTIFF

VERSUS

CIVIL ACTION NO. 1:11-cv-245-HSO-JMR

**JOHN DOE, EMPLOYEES OF PEARL RIVER COUNTY DEFENDANTS
ALSO KNOWN AS PRESIDENT OF
THE BOARD OF SUPERVISORS FOR PEARL
RIVER COUNTY AND ITS EMPLOYEES,
JULIE FLOWERS, INDIVIDUALLY AND IN
OFFICIAL CAPACITY, JOE GARCIA,
INDIVIDUALLY AND IN OFFICIAL CAPACITY,
MIKE JOHNSON, INDIVIDUALLY AND IN
OFFICIAL CAPACITY, SHERMAN GASPAR,
INDIVIDUALLY AND IN OFFICIAL CAPACITY,
RETA LUMPKIN, INDIVIDUALLY AND IN
OFFICIAL CAPACITY, ROB WILLIAMS,
INDIVIDUALLY AND IN OFFICIAL CAPACITY,
DONNIE SAUCIER, INDIVIDUALLY AND IN
OFFICIAL CAPACITY, PEARL RIVER COUNTY,
ANTHONY HALES, PRESIDENT OF THE BOARD
OF SUPERVISORS FOR PEARL RIVER COUNTY**

**ORDER ADOPTING REPORT AND RECOMMENDATION
TO DENY PLAINTIFF'S MOTION FOR APPOINTMENT OF COUNSEL**

This cause comes before the Court upon the Report and Recommendation
[181] of Chief United States Magistrate Judge John M. Roper entered in this cause
on February 22, 2013. The Magistrate Judge reviewed the pleadings on file and
determined that based on the record, Plaintiff's Motion for Appointment of Counsel

[180] should be denied. To date, no objection to the Report and Recommendation has been filed by Plaintiff.¹ The Court has thoroughly reviewed the findings in the Report and Recommendation, the record, and the positions advanced in Plaintiff's Motion, and concludes that the Magistrate Judge properly recommended that Plaintiff's Motion for Appointment of Counsel be denied.

Where no party has objected to a magistrate judge's report and recommendation, the Court need not conduct a *de novo* review of it. *See* 28 U.S.C. § 636(b)(1) ("a judge of the court shall make a de novo determination of those portions of the report or specified proposed findings and recommendations to which objection is made."). In such cases, the Court need only review the report and recommendation and determine whether it is either clearly erroneous or contrary to law. *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989).

Having conducted the required review, the Court finds that the Magistrate Judge's Report and Recommendation thoroughly considered all issues, and is neither clearly erroneous, nor contrary to law. The Court, being fully advised in the premises, finds that the Magistrate Judge properly recommended that Plaintiff's Motion for Appointment of Counsel be denied. Said Report and Recommendation should be adopted as the opinion of this Court.

IT IS, THEREFORE, ORDERED AND ADJUDGED that, the Report and

¹ On February 22, 2013, a copy of the Report and Recommendation [181] was mailed to Plaintiff Scooter Robinson, #L1529, EMCF Section 6-C, Cell 202, 10641 Highway 80 West Meridian, MS 39307, via the United States Postal Service. To date, there has been no return to the Court as "undeliverable."

Recommendation [181] of Chief Magistrate Judge John M. Roper entered on February 22, 2013, is adopted as the finding of this Court.

IT IS, FURTHER, ORDERED AND ADJUDGED that, Plaintiff Scooter Robinson's Motion for Appointment of Counsel [180] filed February 19, 2013, is **DENIED**.

SO ORDERED AND ADJUDGED, this the 28th day of March, 2013.

s/ Halil Suleyman Ozerden

HALIL SULEYMAN OZERDEN
UNITED STATES DISTRICT JUDGE